

REMARKS

I. INTRODUCTION:

Claims 13-26 are currently pending in the present application. No new matter has been added. Reconsideration of the present application is requested.

II. REJECTION OF CLAIMS 19-20 UNDER 35 U.S.C. §112

Claims 19-20 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. It is respectfully submitted that each of claims 19-20, in definitive terms, particularly points out and distinctly claims the subject matter which Applicants regard as the invention.

Claim 19 recites, inter alia, the following:

**... the at least one damping element
includes a first ring-shaped damping
element and a second ring-shaped damping
element ...**

Claim 20 depends from claim 19.

Respectfully, the Examiner finds claim 19 vague because "*'one damping element includes a first ring-shaped damping element and a second ring-shaped damping element'*" renders the claim unclear." Office Action, section 2. However, the claim 13, from which claim 19 depends does not recite only "one damping element." Rather, claim 19 refers to "the **at least one** damping element" of claim 13. By definition **at least one**, can include two or more. Consequently, the **at least one** damping element can include a first and second ring-shaped damping element. The language is thus not vague.

In view of the foregoing, it is respectfully submitted that claims 19-20 are allowable as being sufficiently definite.

III. REJECTION OF CLAIMS 13-18 AND 21-26 UNDER 35 U.S.C. § 103(a)

Claims 13-18 and 21-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Patent No. 6,520,434 to Reiter (the "Reiter patent"). Without

substantively addressing the merits of the rejection, Applicants respectfully submit that the Reiter patent cannot be considered as a prior art reference for rejecting claims 13-18 and 21-26 under 35 U.S.C. § 103(a) as explained below.

The present application is a national phase application of International Patent Application No. PCT/DE00/03452 which was filed on September 29, 2000 (the "International Application"), and claims priority under 35 U.S.C. § 119 from German Patent Application No. 199 47 799.5 which was filed on **October 2, 1999** (the "priority German application").

For purposes of its effectiveness as a prior art reference, the filing date of the Reiter patent is the filing date of its underlying U.S. Patent Application No. 09/763,346 (i.e., April 11, 2001). Therefore, the filing date of the priority German application is prior to the effective filing date of the Reiter patent.

As indicated in M.P.E.P. § 201.15, "[i]n those cases where the applicant files the foreign papers for the purpose of overcoming the effective date of a reference, a translation is required if the foreign papers are not in the English language. ... This translation must be filed together with a statement that the translation of the certified copy is accurate." Applicants therefore provide herewith an English translation of German Patent Application No. 199 47 799.5, along with a statement that the translation is accurate. Accordingly, Applicant respectfully submits that the Reiter patent cannot be considered as prior art for rejecting claims 13-18, 21-26 under 35 U.S.C. § 103(a).

Accordingly, withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

IV. REJECTION OF CLAIMS 19-20 UNDER 35 U.S.C. § 103(a)

Claims 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Reiter patent in view of Patent No. 5,236,173 to Wakeman (the "Wakeman patent"). However, as

discussed above, the Reiter patent cannot be considered as prior art for rejecting claims of this application under 35 U.S.C. § 103(a).

Accordingly, withdrawal of the rejection of claims 19-20 under 35 U.S.C. § 103(a) is respectfully requested.

V. IDS

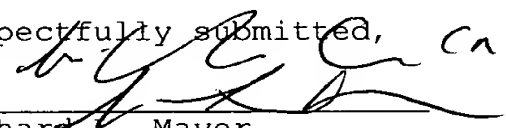
In connection with this application, Applicants filed an Information Disclosure Statement and corresponding PTO Form 1449 on June 4, 2001. However, Applicants have not yet received a copy of the initialed PTO Form 1449. The Examiner is requested to forward to Applicants a copy of the initialed PTO Form 1449 with the next communication.

VI. CONCLUSION

In light of the foregoing, it is respectfully submitted that all pending claims 13-26 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

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Respectfully submitted,

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